



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095

(603) 271-2900 FAX (603) 271-2456

June 23, 2003

6.201E



CERTIFIED MAIL
(# 7000 1670 0000 0585 7691)
RETURN RECEIPT REQUESTED

NOTICE OF PAST VIOLATION

Johnson & Johnston Assoc, Inc.
130 Route 111
Hampstead, New Hampshire 03841

Attn: Mr. Bill Staib, President

Re: Johnson & Johnston Assoc, Inc.
Hampstead, New Hampshire
EPA ID # NHD980909451

Dear Mr. Staib:

On May 20, 2003, the Department of Environmental Services, Waste Management Division (DES) conducted an inspection of Johnson & Johnston Assoc, Inc. (JJA). The purpose of the inspection was to determine JJA's compliance status relative to RSA Ch. 147-A and the New Hampshire Hazardous Waste Rules, Env-Wm 100-1100.

As a result of the inspection and a review of the information provided to DES, the following deficiencies in your hazardous waste management program were documented:

Env-Wm 509.02(a)(2) – Personnel Training

A review of JJA's personnel training program revealed that the training plan did not include a list of hazardous waste job titles, job descriptions, and names of employees filling each position. The plan also did not contain a description of the type and amount of introductory and continuing training to be given to each person filling a position with hazardous waste management duties.

Env-Wm 509.02(a)(2), which references 40 CFR 265.16, Personnel Training, requires full quantity generators to maintain a personnel training program. This includes, but is not limited to, ensuring that specific documents and records related to personnel training are maintained at the facility.

DES requested that JJA maintain a complete written personnel training program which documents hazardous waste job titles, job descriptions, names of employees filling each position, and a description of the type and amount of introductory and continuing training to be given to each person filling a position with hazardous waste management duties (refer to the enclosed FQG Module). Please submit a copy of this personnel training program to DES.

In submittals dated May 23 and June 2, 2003, Mr. Robert Bean, QA Manager/Plant Engineer, provided the required Training Plan documentation. No further action is required.

2. Env-Wm 509.02(b) – Emergency Posting

At the time of the inspection, JJA did not have an emergency posting at the nearest telephone to the Main Hazardous Waste Storage Area. During the inspection, JJA personnel posted emergency information by the telephone, however, this posting contained only a portion of the required information.

Env-Wm 509.02(b) requires that full quantity generators shall post a list of the steps to take if an emergency occurs and the following emergency numbers at the nearest telephone to the hazardous waste storage area (remaining deficiency is noted in italics):

- (a) The emergency coordinators (home and office);
- (b) The fire department, police department, and State of New Hampshire and local emergency response teams that may be called upon to provide emergency services, unless the facility has a 24-hour response team designated to provide emergency services whose number is posted; and
- (c) *The location of fire extinguishers and spill control material, and, if present, fire and internal emergency alarms.*

DES requested that JJA post the required information at the nearest telephone to the Main Hazardous Waste Storage Area.

In the May 23, 2003 submittal, Mr. Bean provided a copy of the revised emergency posting which was posted in the Main Hazardous Waste Storage Area. No further action is required.

3 Env-Wm 509.03(d) – Satellite Storage Requirements

At the time of the inspection, one (1) 30-gallon satellite storage container of hazardous waste ink observed in the Main Hazardous Waste Storage Area was not closed (see Satellite Storage Area Container Inventory).

Env-Wm 509.03(d), which references Env-Wm 507.01(a)(3), requires generators to ensure that containers storing hazardous waste be closed at all times, except when waste is being added to or removed from the containers.

DES requested that JJA close the satellite container and ensure that containers storing hazardous waste remain closed at all times, except when adding waste to or removing waste from the containers.

During the inspection, Mr. Bean closed the satellite container of hazardous waste ink. No further action is required.

4. Env-Wm 509.03(g) Satellite Storage Requirements

At the time of the inspection, one (1) 30-gallon satellite storage container of hazardous waste ink observed in the Main Hazardous Waste Storage Area was not marked with the words "hazardous waste" and words that identify the contents of the container (see Satellite Storage Area Container Inventory).

Env-Wm 509.03(g) requires that at the time the satellite storage container(s) are first used to store wastes, the hazardous waste container(s) are marked with the words "hazardous waste" and with words that identify the contents of the container(s).

DES requested that JJA properly mark the satellite container of hazardous waste ink with the words "hazardous waste" and words that identify the contents of the container.

During the inspection, JJA personnel marked the satellite container of hazardous waste ink in the Main Hazardous Waste Storage Area. No further action is required.

5. Env-Wm 102.03(c)(1) – Universal Waste Management

At the time of the inspection, five (5) containers of universal waste lamps, located in the storage area above the Maintenance Room, were not closed.

Env-Wm 1102.03(c)(1) requires universal waste containers to be closed, except when universal waste is being added to or removed from the container.

DES requested that JJA ensure that containers of universal waste lamps are closed, except when universal waste is being added to or removed from the container.

During the inspection, JJA personnel closed all containers of universal waste lamps. No further action is required.

6. Env-Wm 1112.03(a) - Universal Waste Lamps

At the time of the inspection, three (3) universal waste lamps, located in the storage area above the Maintenance Room, were not stored in containers.

Env-Wm 1112.03(a) requires that intact and broken universal waste lamps be stored in containers that meet the requirements of 1102.03(c).

DES requested that JJA store the three (3) universal waste lamps in containers.

During the inspection, JJA personnel placed the lamps into containers that were subsequently closed and properly labeled. No further action is required.

7. Env-Wm 1112.04 - Universal Waste Lamps

At the time of the inspection, one (1) container of universal waste lamps, located in the storage area above the Maintenance Room, were not marked with the words "Universal Waste – Lamps", "Waste Lamp(s)", or "Used Lamp(s)."

Env-Wm 1112.04 requires universal waste handlers to ensure all container(s) holding universal waste to be clearly labeled or marked with any of the following: "Universal Waste – Lamps", "Waste Lamp(s)", or "Used Lamp(s)."

DES requested that JJA clearly label the one (1) container of universal waste lamps with any of the following: "Universal Waste – Lamps", "Waste Lamp(s)", or "Used Lamp(s)."

During the inspection, JJA personnel labeled the container of universal waste lamps with the words "Universal Waste – Lamps". No further action is required.

DES believes the deficiencies identified during the inspection have been corrected and acknowledges receipt of the submittals describing the corrective measures taken by JJA to achieve compliance. Accordingly, no further action in response to the listed deficiencies is required. However, DES personnel may reinspect your facility at a later date to determine whether the facility is maintaining full compliance with the applicable rules. Fines may also be pursued for any or all violations observed during subsequent inspections of the facility.

Enclosed you will find a copy of the completed Hazardous Waste Generator RCRA Inspection Checklist which documents the compliance status of your facility at the time of the inspection. This checklist may also be of value to you for use in determining future compliance with the New Hampshire Hazardous Waste Rules.

During the inspection, DES noted that hazardous waste management training courses were completed by applicable JJA personnel on the following dates February 1997, November 1997, August 1999, January 2001, April 2002, and April 2003. Env-Wm 509.02(a)(2), which references 40 CFR 265.16, Personnel Training, requires that facility personnel complete an annual review of hazardous waste management training. An annual review should take place once every twelve (12) months. Three times over the last six years, JJA has allowed greater than 12 months to lapse between training reviews. At the time of the inspection, all applicable personnel had completed the required training; however, JJA must continue to provide and document annual reviews once every 12 months for all applicable employees in order to remain in compliance with the Env-Wm 509.02(a)(2) Personnel Training requirements.

The State of New Hampshire Hazardous Waste Rules, as well as much other useful information, can be obtained from DES's website at <http://www.des.state.nh.us/hwcs/>, or by contacting the Public Information Center at (603) 271-2975.

DES

It is the goal of DES to promote the prevention of pollution at the source as the preferred option for meeting established environmental quality goals. We strive to ensure that pollution prevention options are considered first, followed by recycling, treatment and disposal. I am requesting that the DES's Pollution Prevention Coordinator, Stephanie D'Agostino, contact you to discuss possibilities for waste minimization or source reduction at your facility. In the meantime, if you have immediate questions about pollution prevention, please feel free to contact her at 271-6398.

As a service to New Hampshire's hazardous waste generators, we maintain a Hazardous Waste Assistance Hotline which is available for you to contact our knowledgeable staff of hazardous waste inspectors. Our hazardous waste staff is available to answer your questions concerning the New Hampshire Hazardous Waste Rules and the compliance issues which affect your hazardous waste management program. The technical assistance available through the Hotline includes fact sheets that pertain to the management and recycling of specific wastes, summary sheets of specific sections of the Hazardous Waste Rules, copies of EPA and New Hampshire hazardous waste policy or regulatory interpretation letters that may benefit your operation, and networks with other state or federal agencies to answer your questions on a national level. The Hotline is available Monday through Friday, 8:00 AM to 4:00 PM at (1-866) HAZ-WAST (in-state only) or (603) 271-2942.

If you believe that the deficiencies documented in this NOPV have been cited in error, or if you have any questions regarding this letter, please contact the lead inspector, Jessica Cajigas or John J. Duclos, Supervisor of the Hazardous Waste Compliance Section at 271-2942. Specific questions regarding water related issues may be directed to Sharon Ducharme of DES's Water Division at 271-3307, and for air related issues, please contact Pam Monroe of DES's Air Resources Division at 271-1370. Thank you for your cooperation.

Sincerely,



Kenneth W. Marschner, Administrator
Waste Management Programs
Waste Management Division

cc: DB/RCRA/NOPV/RPB/Archives
Philip J. O'Brien, Ph.D., P.G., Director, WMD
Gretchen Rule, Administrator, DES Legal Unit
Robert Bean, QA Manager/Plant Engineer, Johnson & Johnston Assoc, Inc.

E-mail: JJD/SD/SD/PM

Enclosure: Hazardous Waste Generator Inspection Report